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# **NAVAL POSTGRADUATE SCHOOL**

**MONTEREY, CALIFORNIA**

## **THESIS**

**SERBIA AND THE NATO  
PARTNERSHIP FOR PEACE PROGRAM**

by

Nikolay Kotsev

March 2008

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**SERBIA AND THE NATO PARTNERSHIP FOR PEACE PROGRAM**

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Submitted in partial fulfillment of the  
requirements for the degree of

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(CIVIL-MILITARY RELATIONS)**

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## **ABSTRACT**

This thesis explores Serbia's relationship with NATO, focusing on two questions: How can Serbia and NATO benefit from the Partnership for Peace program? How can Serbia identify its needs for assistance as a consumer of security and also actively contribute to regional security under the overarching PfP program?

Serbia's main problems include: (1) weak civilian control of the military and intelligence services, (2) inadequate legal basis and appropriate legislation for effective leadership to transform the military and intelligence services, and (3) a deeply troubled heritage stemming from the period when Milosevic was in power.

Serbia's PfP membership can most directly benefit state authorities by providing expert support for solving the first two problems. These problems can be resolved with a clearly defined security policy and effective mechanisms for implementing it. Serbian participation in the NATO PfP program cannot solve the third security issue, because NATO's role in regard to war criminals and Kosovo's final status is to support the UN. However, PfP membership provides an additional forum for governments to openly discuss, as equals, issues like the territorial integrity of Serbia and war crime convictions.



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# **I. INTRODUCTION**

## **A. BACKGROUND**

During the 2006 NATO summit in Riga, Serbia received an official invitation to join the NATO Partnership for Peace (PfP) program. On December 14, 2006 Serbian President Tadic and Foreign Minister Drashkovic signed the official protocol to join the PfP program at NATO headquarters in Brussels. It was the end of a long, painful process that began when Serbian government officials first announced in 2000 their desire to join NATO PfP program.

The initial announcement came less than a year after NATO launched an air strike against Serbia. The purpose of the 1999 NATO air campaign was to stop the biggest ethnic cleansing in Europe since World War II. The policy of the Milosevic regime forced, in a very violent manner, between 300,000 and 500,000 mainly Albanian refugees to leave the Kosovo province in the south of the former Yugoslavia.<sup>1</sup> At the same time, some 150,000 Serbian citizens in Kosovo, with hopes for a better life, escaped from the province to the southern part of Serbia and Montenegro.

Following NATO's 78 day air campaign, the province of Kosovo became a UN protectorate. Under UN mandate, NATO took the lead and together with Russia under the PfP agreement built a peacekeeping force, KFOR, which still operates in the area.<sup>2</sup> In so

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<sup>1</sup> In the 1990's, prior the wars, there were six republics in the Federal Republic of Yugoslavia: were Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Slovenia. Kosovo region had the status of the only autonomous region within the Serbia territory under direct Serbian leadership. Independence was declared first by Slovenia, followed by Croatia, Bosnia and Herzegovina and Macedonia. Serbia and Montenegro declared themselves the successors of Yugoslavia. In 1999, Kosovo began to seek its own identity, either as an independent Albanian state or as autonomous region with extensive privileges. Today the international community recognizes, in accordance with international law Slovenia, Croatia, Bosnia and Herzegovina, and Macedonia as independent states. The final arrangement for the status of Kosovo is not yet clear. In 2003, with the support of the European Union (EU), Serbia and Montenegro officially denounced the Former Yugoslavia and formed a new federal union called "the State Union of Serbia and Montenegro (SUSM)." The treaty between Serbia and Montenegro establishing the SUSM had an initial commitment of three years. Since the late 1990's, Montenegro never stopped trying to gain independence from Serbia. However, the international community was reluctant to go along, seeking to end trouble in the region. On May 21, 2006, after a referendum, Montenegro became an independent state.

<sup>2</sup> Immediately after the NATO air campaign, the UN Security Council adopted Resolution 1244, which declared Kosovo an international protectorate and authorized NATO to assemble the peacekeeping military force to ensure safe and secure environment for implementation of the UN standards for Kosovo. For more information see the official NATO website, [www.nato.int/kfor/kfor/documents/unscr1244.htm](http://www.nato.int/kfor/kfor/documents/unscr1244.htm); accessed 21 January 2007.

doing, NATO became seen in Serbia as an aggressor, and the image of NATO as an organization was very negative, because Milosevic's propaganda focused on the air campaign and blamed NATO for all the catastrophic consequences of the dissolution of the Federal Republic of Yugoslavia.

Today, six years since Milosevic was forced to step down and was transferred to the Hague tribunal to be tried for war crimes, former adversaries have become partners for the sake of security and stability in Southeastern Europe. During this period, and especially between 2003 and 2006, the federal government put a lot of effort into achieving the ultimate goal of Serbian policy toward NATO: membership in the PfP program. With the realization of Serbian president Tadic's dream, there are many questions about how Serbia can best take advantage of the PfP's potential.

This thesis explores the relationship between Serbia and NATO by focusing on the following questions: How can Serbia and NATO benefit from their partnership under the PfP program? If the PfP program is conceived as an overarching project combining many different state security programs, how can Serbia identify its needs for assistance as a consumer of security and also be an active player that contributes to security in the region and for NATO as well?

Answering those questions will allow development of policy recommendations for cooperation and confidence building measures that can be included in Serbia's Individual Partnership Program. This thesis investigates the weak points of Serbian government policy toward security, what is missing, and how NATO can help Serbia by utilizing the PfP program.

The basic purpose of the NATO PfP program is to build comprehensive, trusting partnerships among participating nations in regards to state security. State security policy is aimed at improving the security environment by reducing the influence of commonly accepted risks and challenging events ranging from natural disasters to war. A PfP nation can use the knowledge, expertise and resources of NATO or draw upon bilateral agreements among PfP participants. After identifying policy problems and discussing best practices with other countries facing similar issues, Serbia will be able to propose specific measures and actions to overcome its own security problems.

The thesis takes the position that Serbia has problems in three major issues related to the security of the state. Serbia's main problems include: (1) weak civilian control of the military and intelligence services, (2) inadequate legal basis and appropriate legislation for effective leadership to transform the military and intelligence services, and (3) a deeply troubled heritage stemming from the period when Milosevic was in power. This heritage includes war crimes indictments against former military commanders, intelligence chiefs, state and political leaders, as well as the unresolved final status of the Kosovo province, where for the past seven years the ethnic Albanian population has sought political independence from Serbia.<sup>3</sup>

Serbia's PfP membership can most directly benefit Serbian authorities now and for the foreseeable future by providing expert support for solving the first two problems. These problems can be resolved by defining a clear and transparent state security policy and effective mechanisms for implementing it. Serbian participation in the NATO PfP program has no potential to solve the third security issue, because in regards to war criminals and Kosovo's final status, NATO's role is to support the UN. However, PfP membership can provide an additional forum for governments to openly discuss, as equals, issues like the territorial integrity of Serbia and war crime convictions. The analysis of Serbian state security policy as a variable focuses on government actions and institutional (especially military) development and on intelligence relevant to national security.

The military and intelligence services, historically important elements of the Serbian state security apparatus, will continue to play a vital role in national security. These institutions face the challenge of developing adequate capabilities in the face of emerging security threats like global terrorism, organized crime, and proliferation of weapons of mass destruction. Here the PfP program can help a lot. This thesis focuses on the current situation in these institutions because state policy toward these institutions will shape the new state security environment of Serbia as a member of the PfP program.

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<sup>3</sup> During the wars with Croatia, Bosnia and Herzegovina, and Kosovo (1992-1999), the Federal Army, the Serbian police forces and the state security service members committed enormous numbers of war crimes and crimes against humanity (more than 11,000 cases, according to the International Tribunal for crimes in Former Yugoslavia, the ICTY). The international community, including the UN, NATO and the EU all raised the question of bringing the guilty to justice. The ICTY lists more than 92 top officials from the former Yugoslavia republics. The majority of indicted persons come from Serbia.

## **B. DEFINITION OF VARIABLES**

### **1. State Security Policy**

State security policy, the dependant variable, incorporates many different interrelated issues.

Here the term state is used as a summary concept referring to bureaucratic institutions like the military and intelligence with legitimate authority to use violent means, including weapons, to exercise authority over a territory and provide security in a broader sense for its citizens.<sup>4</sup>

Security means all activities involved in protecting the country or its citizens against attacks or danger, no matter if the source is inside or outside the state's borders.

Policy refers to a state action plan, aimed at achieving certain goals, based on agreement among the players in the political system, participants in the government institutions, and society.

The analysis of state security policy focuses on Serbian government actions and institutional development of the military and intelligence service. State security policy is a combined dependent variable. Analyzing the independent variables described below today provides a general description of the status of the security issues in Serbia.

- a) Legal framework. Every government system defines responsibilities and authorities of the state bodies involved in security affairs. For state security, the responsibilities for policymaking and policy decision-making are prioritized and distributed among several institutions, the most important of which are the President, the government (or cabinet) and the Parliament. The new challenge for Serbia is to develop adequate, reliable and specific laws to deal with the country's new status and its government institutions. The division of labor and procedures for decision-making and executing policy are described in the constitution, Law of the Army, Law of Security Service, and other specific laws. The names of such laws vary from country to country. Serbia in this regard is not exceptional. However, prior to May 2006, when Montenegro's independence ended the State Union, the only mechanism by which Serbia

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<sup>4</sup> The definition is inspired by Max Weber' approach to the state as analyzed by Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition And Consolidation: Southern Europe, South America and Post-Communist Europe* (Baltimore: The John Hopkins University Press, 1996), 17-24.

could deal with the military as an institution was described in federal laws. Under federal laws like the State Union Constitutional Charter, the Serbian president and some members of the federal parliament were involved in controlling the army. As a matter of fact, however, the Serbian parliament and the government had no official authority for exercising civilian control over the Army. Serbia's new challenge is to develop a reliable and specific series of laws to deal with the new status of the country and its government institutions.

b) Army reform. The variable of army reform is the process of transforming the Serbian armed forces (also referred to as the military or the VS) in accordance with the standards of the PfP program. The discussion emphasizes the transformation of three elements: doctrines, tasks and organization.

c) State security services reform. The variable of state security services reform describes the process of transforming the military intelligence service and Serbian state security service (hereafter referred to as the BIA) in accordance with the standards of a democratic state. Discussion focuses on the transformation of three elements: doctrines, tasks and organization.

d) Public attitude. The variable of public attitudes is measured by the level of support from society for reforms in Serbia. To achieve PfP objectives, in the opinion of this author, reforms are necessary at the government level, in the military's structures and capabilities, and inside the security services. The variable of state security policy and its components are analyzed descriptively, and the analytical scale presented in the thesis supports conclusions and policy recommendations for Serbia's draft of its Individual Partnership Program.

## **C. ANALYTIC FRAMEWORK**

The overall analysis is based on evaluation of the single dependant variable, state security policy. The current status of the variable is described, based on current measurements of the independent variables. The current status of the variables is derived

from descriptions that identify the caps and the weak points in regard to all aspects of the variables. These descriptions are used as the starting point for measurement.

Evaluation is applied to post-Milosevic Serbia, from October 5, 2000 through the end of 2006, which is divided into three periods. The first period is 2000 to 2003, when the future of the federal state Yugoslavia was unclear. The second period, between 2003 and May 2006, is when the State Union of Serbia and Montenegro was formed and functioning. In the third period, from May 2006 through the end of the year, Serbia became a single state and was accepted into the NATO PfP program. The analysis begins in 2000 because Serbian aspirations for joining PfP were first publicly announced at the end that year.

The variables in this thesis are described as follows.

State security policy is characterized as progressing or worsening. Progressing means the institutions involved in creating state security policy have conducted certain actions for crafting appropriate laws, enabling adequate reforms in the military and the security service in accordance with internationally recognized standards like NATO PfP initiative, with positive support from the population. Worsening means that the performance of the government institutions is not leading to progress in state security laws, or describes a slowdown or lack of reform in the military and security service along with negative attitudes expressed by the Serbian people.

The legal framework in any country, in general, can be evaluated as appropriate or inappropriate in regard to specified criteria. The thesis uses these concepts for the purpose of analysis. The legal framework of Serbia is considered appropriate insofar as the laws facilitate reforms in the security sector and allow official government institutions to exercise their authority in accordance with internationally recognized standards. The most critical of these standards is democratic civilian control of the military and intelligence services. Government institutions mean the president, the government, and the parliament.

Army reform, for the purpose of analysis, is measured as adequate or inadequate. Adequate army reform leads to doctrine, tasks and organization that allow the institution to be effective, efficient and successful in executing its mission in accordance with law

and government policy. The mission is to address new security risks and challenges and shape Serbia's security environment in accordance with PfP membership responsibilities.

The state security services reform variable is treated the same as the army reform variable.

Public attitudes toward reform, in general and for the purpose of this research, can be considered positive or negative. Positive means supportive to the governmental institutions' efforts. In other words, people are ready to support the reforms by paying the cost of the reform with a clear understanding of the purpose, duration and outcome of the process. Negative means that people are not convinced that the efforts will produce the desired results because they are not sure of the purpose, duration and necessity of the reforms.

#### **D. ORGANIZATION OF THE THESIS**

Chapter I introduces the topic and defines the variables. Chapter II deals with the legal framework issues, exploring a short overview of relevant history and the current status of the Serbian legislature in relation to security policy. Chapter III discusses army reforms, and Chapter IV deals with the issue of reforming the state security service. Chapter V addresses the public attitude toward reforms. Chapter VI summarizes the previous chapters and, based on the findings, presents policy recommendations and draw conclusions appropriate to the case study.



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## **II. NATO PFP PROGRAM OBJECTIVES AND LEGAL FRAMEWORK**

This chapter discusses the NATO Pfp program objectives and their implications for the legal framework in Serbia. Examining the Pfp objectives and the current situation in Serbia allows evaluation of the variable and assessment of the weak points of the current legislative situation.

### **A. PFP OBJECTIVES**

The core purpose of the NATO Pfp program is to enhance security in Europe by reducing security challenges for alliance members and other countries in the region. This can be achieved by promoting cooperation instead of confrontation between European countries. In order to achieve that goal, NATO in 1994 launched the Pfp initiative during the Brussels annual summit of the North Atlantic Council. In that meeting, the so-called Framework Document, containing the program objectives, was presented.

According to the 2001 *NATO Handbook*, the objectives are:

- to facilitate transparency in national defence planning and budgeting process;
- to ensure democratic control of defence forces;
- to maintain the capability and readiness to contribute to operations under the authority of the United Nations and/or the responsibility of the OSCE;
- to develop cooperative military relations with NATO, for the purpose of joint planning, training and exercises, in order to strengthen the ability of Pfp participants to undertake missions in the field of peacekeeping, search and rescue, humanitarian operations, and others as may subsequently agreed;
- to develop over long term, forces that are better able to operate with those of the members of the North Atlantic Alliance.<sup>5</sup>

This quote shows, having signed the NATO Pfp program framework document, Serbia's government must initiate the process of legislative adaptation in accordance with the country's membership status.

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<sup>5</sup> *NATO Handbook* (Brussels: NATO Office of Information and Press, 2001), 68.

## **B. LEGAL FRAMEWORK OF SERBIA AND NATO PFP OBJECTIVES**

The year 2006 was unique Serbia's history as a state. In that year, the union with Montenegro came to an end, and since May, 2006 Serbia has been a single sovereign state, successor of all international obligations and rights of the former federal formation, the State Union. The Union was formed in 2003 on the basis of an agreement between the two countries to develop a common foreign and security policy, maintain a single military force for defense of the union, and share currency and economic policy. The basic document for the State Union establishment was signed with the support of the European Union.

During the three years of its existence, the federal legislative body (the federal parliament) put a lot of effort into crafting and adopting appropriate legislation to facilitate the common foreign policy goals of both countries, which were joining the PFP program and accession into the European Union. The federal Constitutional Charter was the first democratic law designed to establish a transparent defense planning and budgeting process. For the first time, principles for democratic control of the military were established and clearly stated in the constitutional text and the tasks and responsibilities of the different government institutions, structures and bodies were clearly described. In addition, the law governing the state security service was adopted and the law for civilian control of the Army was drafted.

Although these positive changes took place, Serbian political reality was different. The situation from October 2000 until 2003 was very tense. As Batic Bacevic wrote in 2003,

In the countries of the former Yugoslavia, which spent the last ten years fearing of non-controlled armed forces, it is usual to believe that civil control of the army, intelligence secret services and police simply cannot have weak points. This question is extremely important for Serbia and Montenegro, where military and police forces used to guard rulers more often than the people, but that is also the reason why these processes are to be approached very cautiously. This conclusion is also based on the experience of the post-Milošević's Serbia in which the political elites were frantically fighting for the control over police or military centres of power, leaving an impression that only those civilians who belong to "the proper" parties can control the armed forces. ... [T]he late Prime Minister Zoran Djindjić and his allies controlled police and State Secret Service very

firmly while the parliamentary control of these services has remained a bad mask for conserving the situation in these sectors...<sup>6</sup>

This was the environment of post-Milosevic Serbia until all of the Union's federal institutions were set up to work better. Even the president, considered the most powerful institution to exert any sort of control over the military, was reluctant to act to change the situation. No actions were taken until 2003.

[T]he first democratic president Vojislav Kostunica was severely criticised for keeping Nebojša Pavković at the position of the chief of General Staff. Namely, Pavković did his best to present the Army as the personal guard of President Milošević, during the last phase of his regime. Playing the role of the promoter of the lowest political poltroonery, Pavković tirelessly defended “the supreme commander,” seeing all his political opponents as the NATO agents who are destabilising the country “for a few dollars more.” However, when Kostunica decided to dismiss Pavković, he faced the confrontation and protests of his main rivals in the ruling coalition, who suddenly made friendship with the cast out general. They even collected the signatures for Pavković’s presidential candidacy, as well as the money for his campaign.<sup>7</sup>

These facts show the extent to which the political elite of post-Milosevic Serbia was influenced by the military. They also show that the military during this time had a status “above the law.” Under these conditions, how can one expect political leaders to be objective and take action to bring the military under civilian control?

Like the president, the federal parliament in this period was very passive in exercising its legitimate right to control the military.

In the period from October 5 until the State Union was created, the federal parliamentary committee, which was to control the AY, had met only several times within almost 30 months. The additional obstacle to the parliamentary control was the fact that the president of that committee was the retired general Momcilo Perisic, who had been the chief of General Staff by the end of 1998. Until the moment Milosevic said his final “thanks for cooperation,” Perisic had not believed that the Army should

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<sup>6</sup> Batin Bacevic, *Weak Points of Civil Control* (Belgrade: Center for Civil-Military Relations, 2003), 1. Available from [www.ccmr-bg.org/analize/rec/word24print.htm](http://www.ccmr-bg.org/analize/rec/word24print.htm); accessed 20 November 2005.

<sup>7</sup> Bacevic, 1.

have give an account to taxpayers and he had mostly supported the Titoist understanding of the Army “which is guarding the state while the citizens are sleeping soundly.”<sup>8</sup>

Who controlled the military up until 2003? The answer is no one. Neither the president nor the parliament was in charge. The institutional confusion in Serbia went even deeper, since the federal government responsible for policy making and budgeting for defense and the military was outside the line of control.

[T]he Army and General Staff were not subordinated to the federal Defence Ministry. However, until Boris Tadic became the minister, this Ministry had hardly been able to perform the civil control of the Army adequately since a great number of officers had been employed here also, influencing the Ministry’s policy in a great deal, while the minister himself had only had a formal position. Finally, the only institution which had fulfilled the duty of controlling the Army in the last period – Supreme Defence Council, reflected the depths of the crisis in the state which has been swaying for two years between transformation of the federal state into somewhat loose state or creation of two completely separated states, along with the possibility that the Serbian province Kosovo leaves for independence. Beside Kostunica, the members of the Council were Montenegrin President Milo Djukanovic, who did not recognise the federal state in many ways and Serbian President Milan Milutinovic, who was not recognised by the state for many reasons. The whole democratic process, the armed forces reform included, was simply chained by totally undefined relations between Serbia and Montenegro, by old-fashioned constitutional and legal regulations which, on the other side, were kept on standby until the basic dilemma has been solved – if the state would survive at all... <sup>9</sup>

While the political leadership was confused, the Army modified itself and started changing its organization and function. The changes were conducted not because of changes in law or political guidance, but rather were driven mainly by lack of money.

In the period from October 2000 until the new State Union of Serbia and Montenegro was created, certain changes in the Army had occurred (the number of Army of Yugoslavia members had been reduced from 108,000 to less than 80,000; military service had been reduced from 12 to nine months; the organisation of the AY had been changed since the armies had been abolished and the corps introduced; almost one half of the generals had been retired and the Army kept away from the daily policy) but still

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<sup>8</sup> Bacevic, 2.

<sup>9</sup> Bacevic, 2.

there remained the public impression that the real changes have not started yet. That impression was based on the unpleasant knowledge that the Army, as well as the police, still remains a kind of alienated and self-satisfactory mini-state, still questioning if it should incorporate within the state which employs it and hence accept a whole set of the new rules. One of the basic rules is the civil control. There hardly was any of it.<sup>10</sup>

These negative issues started to be addressed appropriately when the State Union of Serbia and Montenegro was formed in 2003. Furthermore, the legislative and political process of gaining control over the military and security service was accelerated by the clear political will of the new ruling elite.

When the Constitutional Charter was adopted and new government of the State Union was formed, after the marathon negotiation, it looked as if all the obstacles on the way to the complete civil control were removed. Soon the decision was brought that General Staff was to be subordinated to Defence Ministry; the opinion that we should enter Partnership for Peace Programme and NATO in future was more clearly formulated although the public opinion polls show that NATO and the Hague Tribunal are on the top of the most unpopular international organisations. New civil controllers of the Army, first of all Defence Minister Boris Tadic and the State Union President Svetozar Marovic, made it clear that no member of the Army may protect those indicted by the Hague Tribunal, implying certain structures, primarily in the military intelligence, had been doing that in the previous period. However, such statements can be interpreted as a part of the usual instrumentalisation of “the Hague issue” in the conflict between Kostunica and the part of the ruling coalition which describes itself as a reformational part of former winning coalition.<sup>11</sup>

Reforming the army chain of command continued in 2003. After the first step to regain civilian control over the military mentioned by Bacevic in the above quote, the next step was to execute the decision to integrate the General Staff of the Serbian Army into the Ministry of Defense structure.<sup>12</sup> Since then, the General Staff of VS has been a part of the Ministry of Defense. The exact type of subordination is shown on Figure 1.

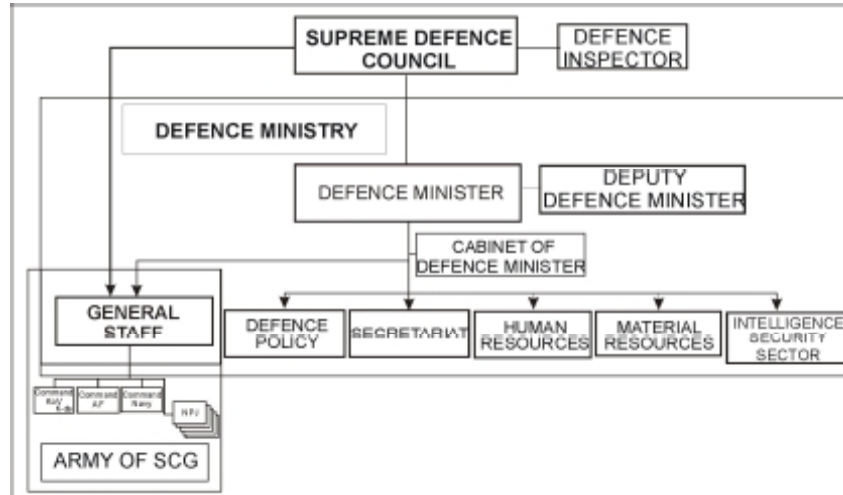
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<sup>10</sup> Bacevic, 1

<sup>11</sup> Bacevic, 2

<sup>12</sup> Spiridon Spiridonov, “Serbian General Staff is integrated into the Ministry of Defense” *Bulgarian Army*, 15589, 7 May 2003. Available from [http://s1.md2.dd:8080/iformer.www\\_main.bgdoc?doc=4207](http://s1.md2.dd:8080/iformer.www_main.bgdoc?doc=4207); accessed 25 August 2004. (Available in the Bulgarian language only.)

Figure 1. Subordination of the General Staff of VS from 2003 until May 2006<sup>13</sup>



The subordination of the General Staff has not changed since May 2006, when the Union Ministry of Defense became the Serbian Ministry of Defense.

These steps by the political leadership of the union were possible due to the adaptation of the Constitutional Charter of the federal state. This was the very first document in the history of the legislature of the former Yugoslavia to provide clear division of responsibility among the different government institutions regarding the control of the military and the security services. The basic difference in comparison with the constitution from the post-communist and Milosevic era is that the military is subject to real civilian control.<sup>14</sup>

By virtue of the Union constitution, the most important federal institutions in the area of security and policy were the Ministry of Defense, the Ministry of Foreign Affairs, and the Supreme Defense Council (SDC). The main task of the Supreme Defense Council

<sup>13</sup> The figure is taken from Colonel Branko Andric, *Reform of the Army of Serbia and Montenegro* (Belgrade: Center for Civil Military Relations, 2004), 4. Available from [www.ccmr-bg.org/analyze/rec/word43print.pdf](http://www.ccmr-bg.org/analyze/rec/word43print.pdf), accessed 20 November 2005.

<sup>14</sup> Prior to 1989, when the democratic changes occurred in Eastern Europe, the constitutions of former communist countries specified that the Communist party had a leading role in all state matters. Examples include the USSR, Romania and the German Democratic Republic. Bulgaria is an example of the two-party system of government, with the Bulgarian communist party (BCP) and Bulgarian Agrarian People Union (BZNS). However, Article One of the 1974 constitution stated that the leading role is assigned to the BCP. The BCP exercised control over the armed forces by various means and institutions. Serbia was not an exception; in the constitution, since 1992 the leading role was given to the league of Yugoslavian Communists.

was to provide guidelines for the armed forces, exercise control over policy implementation and monitor the system of promotion and retirement of flag and senior (colonel and above) officers. The SDC, a collective body, included the President of the Union of Serbia and Montenegro and the presidents of the member states. Article 56 deals with the issue.<sup>15</sup> The Minister of Defense, the Minister of Foreign Affairs, the Chief of the General Staff and the Service Commanders participate in the working meetings without the right to vote.

By virtue of the constitution, having as Supreme Commander a “body” of three persons instead of one supported civilian control over the military, and placed an obstacle in the way of any hoping to use the military for their own purposes and benefit, as happened during the Milosevic regime.

The armed forces received their orders from the Supreme Defense Council (SDC) through the Ministry of Defense. The SDC decisions are collective and are approved by consensus; each member has veto power. In that way the top army leadership is more responsible and accountable in front of at least two civilian institutions, which defuses their influence on the political level. Encouraged by the positive provisions of the Constitution, experts on the federal government began to discuss the future of the military.

The first open discussions between the political ruling elite and society about the real role of the military in the state organization took place during this time. Beginning in 2003, the media has been increasingly involved in political disputes about the role of all state institutions, including the military. As Bacevic writes,

[The] new ruling coalition is ... determined to start profound reforms of military structures quickly and without hesitation, announcing the new steps leading to reduction of the Army. President Marović’s advisor for military issues Blagoje Grahovac even questioned the sense of keeping army at all if the country is going to lead peaceful policy and intends to join the Western military alliance. A little bit later, in his programmatic text “Defence Problems in the West Balkans” (with a poetic subtitle “Facing Future”), Grahovac says the Army should have up to 25,000 members and needs no Navy. Completely different view is shared by

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<sup>15</sup> *The Constitutional Charter of the State Union of Serbia and Montenegro* (Belgrade, 2003), 10. Available from <http://www.gov.yu/document/povelja.pdf>; accessed 25 January 2004.



Defence Minister Tadic and his advisors – he has made it clear that the Army should have 50,000 members, Air Force and Navy included.<sup>16</sup>

At the time, the Union was experiencing the same problems as all other Eastern European countries. The same discussion had taken place in the Czech Republic, Hungary (a NATO member since 1999), Bulgaria and Romania (both PfP members with clearly defined Membership Action Plans, MAPs, leading toward full membership in the Alliance). The problems with legitimizing and justifying the reforms in the military had been experienced by all these countries.

Because of these discussions, the draft of the National Security Strategy prepared by the Ministry of Defense was presented in the parliament in late 2004. Unfortunately, the document was not adopted by the parliament due to political reasons. Montenegro had restated its position and its intention to become an independent state.

The practice proposed by the Constitutional Charter showed some weaknesses. The most important was that there was no written statement about specific laws for more detailed regulation of the relations and procedures among institutions in regard to civilian control of the military. For the lawmakers, the subordination of the military to the Ministry of Defense was enough.

The federal government was very active in establishing working procedures for civilian control of the military in regard to PfP objectives. In the beginning of 2005, with the support of United Kingdom experts, the first White Book for Defense was published. The book announced all principles driving the decision making process in Serbia related to national security and defense. The defense budget procedures were clearly articulated and the new defense strategy was announced.<sup>17</sup>

In addition to this document, in late 2005 the Federal Ministry of Defense proposed a draft of a law entitled “Civilian Control of the Army.” The draft was scheduled to be discussed and was expected to be approved by the federal parliament in the last half of 2006, after consultation with the Defense Reform Group inside the Ministry of Defense, itself newly established in February 2006. The group, under UK

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<sup>16</sup> Bacevic, 2.

<sup>17</sup> More detailed discussion of this document is presented in the next chapter.

leadership, includes experts from NATO member countries in different fields. Unfortunately, the process ended in May 2006, after Montenegro's declaration of independence.

In addition to federal government activities, Parliament has taken some actions. In the new Union Constitutional Charter, for the first time the parliament received a control function in regard to defense and security. The basic role of the parliamentary oversight is to ensure that the military will work within the framework of the rule of law. This is one of the important tasks of the federal institutions in the State Union of Serbia and Montenegro. As Sasa Jankovic notes,

The parliament is the institution, which to the largest extent ensures the democratic nature of the control over intelligence-security services. In order to be able to basically respond to the requirements of parliamentary control, the house must have a proper formal framework and operating authorities (good quality and legally based control authorities), human and material potential (parliamentarians versed in the theory and practice of parliamentary control, efficient and numerically adequate professional staff, an appropriate budget...), as well as political will to actually exercise this control (as already mentioned, parliamentary control of intelligence-security services is simultaneously the control of the government which, as a rule, includes highest officials of parliamentary parties).<sup>18</sup>

By virtue of the Constitutional Chart, the control function over federal policy reforming the military and security service was assigned to the parliament. The actual bodies which were to exercise this authority were the Committee of Defense and Security and the Commission for Control of the Security Services.

It is certain that the parliamentary control of the Army will be performed through the Committee of Defence and Security and the Commission for Control the Security Services. The scope of the Committee of Defence and Security should include – besides analysing draft laws on defence and army issues and production, traffic and transport of arms – the regulated participation in defining the national security policy of the State Union, which should be adopted by the Parliament as the highest legislative body. The Parliament, consisting of democratically elected deputies, will express interests of the people in the sphere of defence and therefore it should take part in creating and passing into effect the most important decisions in this

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<sup>18</sup> Sasa Jankovic, *Democratic Civil Control of Intelligence-Security Services in Serbia* (Belgrade: Center for Civil Military Relations, 2006), 3. Available from <http://www.ccmr-bg.org/cms/view.php?id=1832>; accessed 6 January 2007.

field, as well as in refer to reorganisation, transformation and modernisation of the Serbian and Montenegrin Armed Forces.<sup>19</sup>

That was the intention, and indeed the committee was established. But in reality, none of the committee members had interest in his job because relations inside the parliament were unclear. Montenegro, as always during 2003-2006, was seeking any opportunity to distinguish itself from Serbia. The behavior of Montenegrin officials was driven by the fact that during the wars, the military was in the process of Serbization. On many different occasions the military forces were officially referred to as Serbian army (Vojska Srpska).

The Parliament was less passive in regard to the control of the state security services. In 2004 Serbia adopted a law regulating the relations between the state security service and government officials. Like the Law of Army, it is designed to define the responsibilities, tasks and rights of the state security service.<sup>20</sup>

The law's major stress is on control of intelligence as organization and process. Milos Jeftic writes,

[Article] 5 of the Law regulates that the security services, which were within the SMAF General Staff, are to be transformed into the Military Security Service and Military Intelligence Service within the Defence Ministry. Therefore, the Council of Ministers are enabled to get authority over all security services (there are the Investigation and Documentation Service and Security Service within the Interior Ministry). [Article] 6 of the Law regulates the obligation of internal cooperation among the federal services, as well as the need for their cooperation with the corresponding services in the members of State Union, and with the security services of other countries. [Articles] 17-19 of the Law regulate the obligation of the services to submit annual reports about the activities to the Council of Ministers and to the Parliament and they are also obliged to submit the reports on certain questions and problems when demanded by the Council of Ministers and the Parliament. The important new regulation, introduced by this Law, is that the services are obliged to inform the public about their activities. The whole Chapter VII of the Law is on the democratic civil control. This part of the Law establishes a new legal institute of the

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<sup>19</sup> Milos Jeftic, *Parliamentary Control of the Army* (Belgrade: Center for Civil Military Relations, 2003). Available from <http://ccmr-bg.org/analize/rec/word18print.htm>; accessed 20 November 2005.

<sup>20</sup> Subject to the law were the security services at the time, which included the federal military intelligence (VOS) and counterintelligence services (KOS), the Serbian state security service (BIA), the Montenegro Police Intelligence Service, and the Information and Documentation Department in Ministry of Foreign Affairs. More detailed discussion of the security services is presented in Chapter III.

democratic civil control of the services, performed by the Parliament of SCG through the Commission for Control of Security Services. The General Inspector, who controls the work of the services, is also established by this Law and the Council of Ministers is authorised to appoint him.<sup>21</sup>

All these previous best practices, initiatives and legislation have not been very useful since the beginning of 2006, when, approaching the end of the State Union's first three years, the will for independence in Montenegro increased. After May 2006, when Montenegro became an independent sovereign state, all federal laws became outdated. The legislation designed to improve the institutional relations between the federal and republican government bodies in order to match NATO PfP objectives, thus needed to be redrafted to reflect the new situation. Since the split, Serbia has been declared the successor of the State Union. The split itself posed a lot challenges for the political elites and governments of both states. The military was split into two parts; the federal Foreign Ministry became the Serbian Ministry of Foreign Affairs and the Federal Ministry of Defense became the Serbian Ministry of Defense. Neither ministry changed its structure and organization.

The first priority for the parliament and government was to change the Constitution, as all of the new institutions and procedures which never worked at the republic level needed to be incorporated into the government system. In practice, the country needed a new constitution. For purely political reasons, the reforms were slowed, because in 2006 the final status of Kosovo was beginning to be discussed in the international arena and in Serbia itself. Kosovo's status became issue number one in the political life of Serbia. As the year progressed, constitutional and government reform were postponed. Finally, in October 2006 after the referendum, the new constitution was adopted.

Like the Union constitutional charter, this constitution is the first of its kind. With regard to civilian control of the military, for the first time the president of Serbia is recognized as commander in chief. However, the exact relations between the president, the government and the parliament, on the one hand, and the military, on the other, must be specified in a separate law.

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<sup>21</sup> Jeftic, 3.

European democratic values are stated as a cornerstone in the new constitution and are used as a general standard for arranging rules and relations among Serbia's institutions and citizens. But anything further from the legislative point of view is postponed until after the parliamentary elections of January 2007.

Given all that has happened in the legislative sphere, in order to have laws compatible with or promoting institutions and procedures that meet NATO PfP objectives, in many respects the legal framework in Serbia at this moment is inappropriate. The tendency toward harmonizing legislation with PfP objectives persists, but the actual process of doing it and the actions taken by the authorities are far from perfect.

In regard to civilian control of the military and security service, the federal legislature can be a big help and the legal framework is appropriate. However, the strengthening of the parliament's role as an oversight body needs a lot of improvement and work. As Bacevic writes,

In their history, Serbia and Montenegro experienced the whole range of authoritarian orders but managed only in very short intervals to feel the benefits of democratic society. Therefore, political elites – but the citizens as well – still favour “strong hand” policy, neglecting fundamental rules of democratic society, feeling contempt for parliamentarianism and lawful authority of the state which “only makes obstacles or delays rapid development of the country.” Experience teaches us that the security forces “of all types” can certainly be misused against not only neighbouring nations but also against the citizens who are financing these forces. Therefore, all weak points of the civil control of the army should be considered, since they are almost inevitable in the society still being formed but also stays chained by certain parts of Milošević’s political testament. In Turkey, one of the countries willing to join EU, the army repeatedly saved secular democratic order, endangered by the parties which had previously won democratic elections. This unhappy example is mentioned here only because we have been influenced by Osmanli policy. We have less experience with the influence of Western, European countries.<sup>22</sup>

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<sup>22</sup> Bacevic, 3.

Serbia probably needed these six years to learn its lessons, but as long as the society supports politicians' efforts and has the will to integrate the country into the PfP program to the maximum extent possible, the process will continue and NATO will help a lot. A similar opinion is expressed by Jeftic:

Democratic changes in our country open, undoubtedly, many questions about work and efficiency of the state organs. The role of the public and control of activities in all fields of the society are the necessary prerequisites for joining European integration, and also Partnership for Peace and NATO. Further development of democracy in Serbia and Montenegro will not be possible without an organized, constant and efficient control.<sup>23</sup>

Whatever action is to be taken by the Serbian government with the support of NATO in meeting PfP objectives, doubtless there is a need for a solid legal framework. This should join the other major priorities of the new ruling political elite after the January 2007 parliamentary elections.

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<sup>23</sup> Jeftic, 1.

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### III. NATO PFP PROGRAM AND ARMY REFORM

Throughout their history, the Serbian military forces, like armed forces elsewhere, have been seen as the major guardians of the state. The military, with its natural task of protecting the state, has always been in the process of reforming its own organization and transforming its capabilities in order to address security risks and challenges—those already known, and those that may be forthcoming.

Like the state of Serbia, the military faced a long road from its highly politicized position at the start of reforms in 2000 to the status of trusted partner providing state security in cooperation with NATO, its former adversary. In this regard, for the past six years, reforms in the Serbian military have followed the political and legislative changes in Serbia.

Though the military was seen as Milosevic's "Praetorian Guard," it suffered a lot during his regime. It is worth mentioning that the military played a major role in supporting the opposition coalition in the October 2000 federal presidential elections. On October 5, 2000, after Milosevic refused to recognize the victory of the opposition candidate Vojislav Kostunica, Serbia was on the verge of civil war. Due to military involvement, Milosevic was forced to step down.<sup>24</sup> With this action General Pavcovic, who was the Chief of the General Staff of the Army had set a condition for keeping the political role of the Military as it was in the previous times, but the times had changed.<sup>25</sup>

From 2000 to 2003, the military was still playing a big role in political life of Serbia and Montenegro. But when federal President Kostunica sacked the powerful General Pavcovic from his job as Chief of the General Staff in 2002, it was clear that under the new leadership, the military would have a different role, and not a political one.

On 24th June 2002, at a meeting of the Supreme Defence Council (SDC) of Yugoslavia – a body composed of the presidents of Serbia (Milan Milutinovic), Montenegro (Milo Djukanovic) and FRY (Vojislav Kostunica) that in theory exercises control of the Yugoslav Army (VJ) –

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<sup>24</sup> James Gow described this moment very well in "Milosevic's Downfall and the Military," the last part of his study, "Serbia and the Politics of the Yugoslav Armies: Communism, Federalism and Democracy" in Kees Kooning and Dirk Kruijt, eds., *Political Armies: The Military and Nation Building in the Age of Democracy* (London: Zed Books, 2002), 310.

<sup>25</sup> Gow, 310.



Kostunica initiated a move to remove Pavcovic. He was initially thwarted in this attempt when Milutinovic and Djukanovic refused to support him unless he also removed other key personnel from the Army top brass including chief of the military security service (KOS) and close ally of Kostunica, General Aco Tomic. Kostunica rejected this and then bypassed the SDC, using a presidential decree to relieve Pavcovic of his duties and replace him with General Branko Krga. In response, Pavcovic declared the decision illegal and refused to go. After talks with key generals – and public expressions of support from both the EU and NATO – Kostunica appears to have secured the support of the VJ for his move, and left Pavcovic isolated and in limbo.<sup>26</sup>

Of course, in light of the country's new orientation toward democracy and the political will expressed by the federal government to join the PfP program and pursue closer relations with Euro-Atlantic states, Pavcovic had to be removed from his post, and it was urgent that the army reform process begin.

NATO countries have made it clear that they will not do business with Pavcovic, a stance which has direct ramifications for FRY's future civil-military reforms, and its prospects of joining NATO's Partnership for Peace (PfP). This position is the result of two factors. First, because of Pavcovic's close association with the former regime. Pavkovic was a Milosevic appointee, and a Milosevic loyalist. Given this background, and the widely held belief that he has benefited personally and financially from his position and connections to Milosevic circles, he is viewed by many as both an impediment to a reform and a continuing representation of a politicised 'old guard.' Second, Pavkovic's background as the commander of the VJ's Third Army – which was responsible for the actions of the Yugoslav Military in Kosovo in 1999 – associates him with ethnic cleansing and war crimes, and fatally compromises him in the eyes of the West.<sup>27</sup>

This conflict shows the need for changes in the Serbian military's ideology, doctrines and role in society.

Later, when the State Union of Serbia and Montenegro was formed and the Constitutional Charter was adopted, the legal foundation for army reform was established.

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<sup>26</sup> Tim Edmunds, *Crisis or Turning Point? Kostunica, Pavcovic, and Civil-Military Relations in FRY* (Belgrade: Center for Civil-Military Relations, 2002), 1. Available from <http://www.ccmr-bg.org/cms/view.php?id=1926>; accessed 6 January 2007.

<sup>27</sup> Edmunds, 1. Pavcovic now is in the Hague, where he faces charges for war crimes committed under his command in Kosovo in 1999.

Not until late 2003 did the military take steps to align itself with the government's political goal of joining the NATO PfP program. The following year is significant in the history of Serbia's military reform process. In 2004, the major plan for reform of the army was approved and under the leadership of the Ministry of Defense, the military started to design a new national defense strategy. General Krga, former Chief of General staff, writes that

Completion of the planned activities in the field of reforms was in the centre of our activities.

After the commands of the armies, Air Forces and Air Defence, Navy, commands of divisions, fleet and certain units on the tactic level were decomposed last year, the Army made important reform steps:

- According to the decision of the Supreme Defence Council (VSO), the SMAF General Staff is subordinated to the Defence Ministry,
- Intelligence and Security Sector were reformed into the Military Intelligence Agency and Military Security Agency, subordinated to the Defence Ministry;
- School centers and border units in the territory of the Republic of Montenegro were disbanded;
- The draft document "Defence Strategy of the State Union of Serbia and Montenegro," was created and will be delivered to the Assembly of Serbia and Montenegro for adoption<sup>28</sup>

The quote demonstrates that the Serbian military was focusing more on organizational changes and strengthening their line of subordination. In the new Defense Strategy (2004) and later in the *White Book on Defense* (2005) the Serbian military leadership officially recognized the following principles for building the country's new defense capabilities. Serbia, they say,

- *does not consider* any state an enemy;
- *shares* the belief of other countries that the stability and security of the Euro-Atlantic region can be realized only through cooperation and joint action;
- *is resolved* to strengthen internal stability and to actively contribute to the security and stability of the region of South-Eastern Europe;

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<sup>28</sup> Branko Krga, *The Reform of the Serbian and Montenegrin Army* ( Belgrade: Center for Civil-Military Relations, 2004). Available from <http://www.ccmr-bg.org/cms/view.php?id=1867>; accessed 25 October 2005.

- *is resolved* to observe and fulfill the obligations arising from the Dayton Peace Treaty;
- *is resolved* to consistently observe UN Security Council Resolution 1244;
- *allows* temporary deployment of foreign armed forces on its territory only within the framework of peacekeeping missions, on the basis of UN decisions and agreements concluded;
- *has opted* to deploy units of the Army of Serbia and Montenegro on foreign territories only within the framework of peacekeeping missions, on the basis of UN decisions and agreements concluded;
- *is resolved* not to possess and not to develop weapons for mass destruction and to actively participate in the prevention of their proliferation.<sup>29</sup>

The military's new vision of the security environment and its perception of security risks and challenges are no different than the views any other country in the region. This was a major improvement at the doctrinal level and shows that the new military was ready to forget the war as the only option for dealing with the former “enemy” states from the former Yugoslavia. The new approach is cooperation instead of confrontation. This new approach is articulated in the following text from a recent defense strategy document.

Depending on the nature and intensity of challenges, risks and threats to security, the response will be: in war—by a decisive defence of the member states and of Serbia and Montenegro with their own forces, with the assistance of partners, allies and friendly states; in peace—by the creation of reliable partnerships and co-operation in forming a favorable security environment and deterrence by an integrated and efficient defence system.<sup>30</sup>

The two program documents were developed with support from the UK and the US and have been formally approved by the parliament. Since then, the Serbian military

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<sup>29</sup> *White Paper on Defense of the State Union of Serbia and Montenegro* (Belgrade: Serbia and Montenegro Ministry of Defense, Newspaper Publishing Center, April 2005), 19. Available from [www.mod.gov.yu](http://www.mod.gov.yu); accessed 24 August, 2005.

<sup>30</sup> *Defense Strategy of the State Union of Serbia and Montenegro* (Belgrade: Inpress Graphic Studio, 2005), 12. Available from [www.mod.gov.yu](http://www.mod.gov.yu); accessed 24 August, 2005.

is formally devoted to reorganization of its tasks and structure in accordance with NATO PfP objectives and areas of cooperation. This is also stated in the *White Paper on Defense*.

It is expected that the active participation of Serbia and Montenegro in the “Partnership for Peace” programme will reduce the danger of external security threats, develop the ability to respond efficiently to contemporary security challenges, risks and threats, speed up the already initiated process of integration in Euro-Atlantic structures, increase transparency in defence planning, achieve a democratic and civil control of the Army and develop the capacity for joint action in the collective security system. Joining this programme would make possible a parallel development of interoperability and the implementation of NATO standards as an integral part of the reform of the defence system.<sup>31</sup>

Following political guidance and deriving its legitimacy from the new defense strategy, the military lists its missions:

- Deterring from armed threats and other military challenges, risks, and threats;
- Defending the territory, airspace and territorial waters;
- Participation in international military cooperation and peacekeeping operations under the auspices of the OUN and system of collective security,
- Assisting civil authorities and population in situations where human life, the environment, and material welfare are threatened.<sup>32</sup>

It is evident that these new missions are in fully consistent with NATO PfP objectives. They are similar to the missions for the militaries in Bulgaria and Romania, and they are not much different from any other military missions in the post-Cold War post-modern era.

These new missions require appropriate actions to adjust military organizations and capabilities to the new requirements.

- organize and prepare part of the professional peacekeeping troops to a high degree of combat readiness;

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<sup>31</sup> *White Paper*, 24.

<sup>32</sup> Andric, 2.

- organize enough forces for deterrence and defence of the State Union which will be mobile and capable of engaging in combat action under all conditions;
- prepare a number of the units for participating in peacekeeping missions and operations in accord with the UN Charter;
- train forces to participate in rescuing the civil population.<sup>33</sup>

To fulfill those tasks, the military had to come up with a plan in which reform of the military structure would bring it closer to NATO PfP standards. The reform in the army was designed to follow the changes in the State Union. The intent was to conduct the reform in three phases between 2003 and 2010, in three periods: 2003 to 2004, 2004 to 2006, and 2007 to 2010.

What was actually planned and what was executed during the phases:

The first phase (2003 to 2004) includes: adopting normative documents, reorganizing the General Staff and more efficient organizing the Army at the operative and tactic level. Within the framework of these changes, units will be disbanded and institutions that don't have an adequate purpose and equipment, and reforming and dislocation will improve and increase combat readiness of the Army. Also, in the first phase we planned more intense participation in international peacekeeping missions and joint exercises with the countries in the region.<sup>34</sup>

As discussed above, most of the tasks to institutionalize and legitimate military reform were done. The federal government and the parliament adopted the basic documents necessary for starting the reforms.

During the same period, according to the Serbian General Staff, the structure of the old mass army was disbanded and a new corps level was introduced. Significant amounts of military equipment were withdrawn from operational units. Withdrawn equipment included 210 T-55 tanks, 72 OTM-60 armored transport vehicles, 98 howitzers of 105 mm caliber, 54 M1 howitzers of 155 mm caliber, 126 T-12 anti-armored guns, 867 self-propelled vehicles of 90 mm, 36 guns of 130 mm, 1014 antiaircraft guns of

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<sup>33</sup> Andric, 2.

<sup>34</sup> Andric, 3.

20/3 mm, 80,000 infantry weapons, and a large number of motor vehicles, communication devices and other equipment.<sup>35</sup>

During this period, relationships with the militaries of other countries intensified. Various activities were executed inside and outside the country; NATO was a partner in some of them. In that regard, General Krga writes,

Inter-army cooperation stayed in the centre of attention of the SMAF in the last year, which resulted by numerous visits in the country and abroad: 27 visits of the Defence Ministry and the chief of General Staff; 106 visits of working groups; education and training were secured for 298 members of the SMAF and the Defence Ministry through 141 activities; English language course in Great Britain was attended by 78 candidates; four seminars were organized in cooperation with NATO, etc. Plans for military cooperation with numerous countries have been agreed on or signed, with our sincere wish to improve the trend we started.<sup>36</sup>

For example, in 2003 Serbian officials made contact with Bulgaria, which had gone through the same process in its early years as a democracy. In early meetings with the Serbian military, Bulgaria clearly stated its support for Serbian participation in the PfP program. Bulgaria was asked to provide military advice and expertise in regard to execution of reforms and pre-deployment training of military contingents participating in peace support operations under the auspices of the NATO agreement and UN mandates.<sup>37</sup>

Later, in 2004, the military contacts between the Serbian and Montenegrin armies continued at lower working level. In March 2004, the Commander of the Nis Corp (formerly the Third Army) was in Sofia to conduct talks with his Bulgarian counterpart, the Commander of the Command West. During these talks, the Serbian side expressed interest in organizing and training by the Bulgarian units for participation in peacekeeping missions, language training, training standards, and the like. In an interview with the Bulgarian army newspaper, Major General Stojanovic shared that the purpose of the Sofia visit was to arrange pre-exercise training for the Serbian military,

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<sup>35</sup> Krga, 2.

<sup>36</sup> Krga, 2.

<sup>37</sup> Krasen Buchkov, "Supporting Serbia and Montenegro for PfP membership," *Bulgarian Army*, 15718, 30.October 2003. Available from [http://s1.md2.dd:8080/iformer.www\\_main.bgdoc?doc=6256](http://s1.md2.dd:8080/iformer.www_main.bgdoc?doc=6256); accessed 25 August 2004. (Available only in the Bulgarian language.)

because in May 2004 a Serbian unit was invited to participate in a joint Serbian-Romanian exercise on peacekeeping in Romania.<sup>38</sup>

Almost everything planned for the first phase of the reform was achieved.

According to Andric's research, the following activities were planned for the second phase:

The second phase (2005 to 2006) includes further organizational changes on the operative and tactic level. The accent is on creating contours of the module principle of organization with battalion-division-squadron as the basis for organizing the Army. The characteristics of this phase is the final transfer of authority of guarding the state borders, forming and equipping units for participation in peacekeeping missions, continuation of the organization of joint exercises with foreign armed forces, continuing the participation in peacekeeping missions, continuation of schooling and training cadres abroad, carrying out the social program, realizing decisions on transforming military profitable institutions, defining the development program and equipping with modern arms and military equipment (from our own production and cooperation with foreign countries).<sup>39</sup>

The second phase was crafted to deepen the reforms by carrying out the future organizational restructuring of the combat units on operational and tactical level. This process was very carefully prepared in 2005 and executed in 2006. The aim was to have more lighter and mobile units capable of executing different missions and tasks.

The process of preparing the peacekeeping force continued in the newly established Peacekeeping Training Center, with the program designed by UN selected as the training program.

At the moment, members of the SMAF participate in peace and humanitarian missions in East Timor (two officers), Liberia (two officers) and DR Congo (six medics). "The National Centre for Peace Missions" which has been formed has the same function and is to prepare and coordinate all activities in connection with participation of our forces in peace missions.<sup>40</sup>

Serbia was not part of NATO PfP program during the period of the training, so the Serbian military participated in missions under the UN flag only.

<sup>38</sup> Colonel Cenko Vele, "We Are Interested in Your Experiences as PfP Active Participants," *Bulgarian Army*, 15808, 10 March 2004. Available from [http://s1.md2.dd:8080/former.www\\_main.bgdoc?doc=9743](http://s1.md2.dd:8080/former.www_main.bgdoc?doc=9743); accessed 25 August 2004. This interview with the Nis Corp Commander is available in the Bulgarian language only.

<sup>39</sup> Andric, 3.

<sup>40</sup> Krga, 2.

As far as it concerns the participation in the exercise with foreign military, the relations with KFOR in Southern Serbia, Kosovo I Metohia were improved. There were numerous activities taking place on both sides of the administrative border line of Kosovo where Serbian Military participated together with NATO member countries, like the Czech Republic, France, Italy and Germany. On a regular basis the KFOR Commander has a meeting with the Chief of the General Staff of the Serbian army and the Military commanders from the Nis garrison. The Serbian Military and KFOR soldiers have conducted joint patrols in the area on several occasions.<sup>41</sup>

Because modernizing an army requires a lot of financial resources, the Ministry of Defense established a Defense Reform Fund. The money was supposed to come from the profits earned by selling military facilities and buildings for commercial purposes or social activities. Deputy Minister of Defense Maras said in 2005,

Serbia and Montenegro is oriented towards four main components of its defence conversion: addressing the issue of the redundant military personnel; conversion of military bases and facilities; surplus military stockpiles, program and personnel restructuring and downsizing the military industries and converting the development and research in the military for civilian use.<sup>42</sup>

According to Maras, NATO also helped by supporting project PRIZMA, intended to ease the social incorporation of retired military personnel into civilian life. The project was evaluated as high quality and was financially supported by the UK and the Netherlands' defense ministries. This project incorporates 11 programs.<sup>43</sup>

In February 2006, NATO Defense Reform Advisory Group was established to deepen the ties between the Federal Ministry of Defense and western countries in NATO and the EU.<sup>44</sup>

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<sup>41</sup> See the KFOR official website, KFOR Press Release, 12 August 2005. Available from <http://www.nato.int/kfor/press/pr/pr/2005/08/12.htm>. Accessed January 21, 2007. See also the Kosovo official website, KFOR Press Release, "Serbia and Montenegro and KFOR officials agree on good regional security situation," 12 July 2005. Available from <http://www.nato.int/kfor/press/pr/pr/2005/08/12.htm>; accessed 21 January 2007.

<sup>42</sup> Vukasin Maras, Address by Deputy Minister of Serbia and Montenegro at the SEECP Ministerial Conference on Defense Conversion, (Bucharest, 31 March 2005), 2. Available from <http://www.stabilitypact.org/wt3/050531-pres-maras.pdf>; accessed 26 August 2005.

<sup>43</sup> Maras, 2.

<sup>44</sup> "NATO Opens Military Liaison Office in Belgrade." Available from <http://www.nato.int/docu/update/2006/12-december/e1219a.htm>; accessed 19 December 2006.



All this occurred when the Union still existed. However, even after the split between the two countries, the new Serbian military announced that they would continue with reform despite the limited resources. With this action, the Serbian military proved that it had no alternative other than reform. The military went beyond the initial planning, forming the first two fully professional brigades in September and October 2006.

Shortly after the official announcement of Serbia's invitation to join the PfP program, the Military Liaison Office was established to, in NATO's words, "facilitate Serbian cooperation with NATO under Partnership for Peace programme."<sup>45</sup>

The third phase of the initial plan, from 2007 to 2010, will be conducted with the full support of NATO in areas already determined by the Serbian authorities. According to Colonel Andric the reforms during that period will involve

completely coordinating organizations with adopted standards. In this phase the status of the State Union will finally be resolved and conditions will be set for completion of the first cycle of organizational changes and realization of the project of professionalization and technical modernization of the Army.<sup>46</sup>

NATO has helped Serbia in a variety of areas, including those noted by NATO Deputy Secretary General Ambassador Minuto-Rizzo:

Defence reform; defence planning, budgeting and resource management; conceptual, planning and operational aspects of peacekeeping; the fight against terrorism and illegal trafficking; logistics; and language training.<sup>47</sup>

These are exactly the areas of cooperation proposed in PfP program documents.

To summarize this chapter, the trends in army reform can be evaluated as appropriate for integration of the country into the PfP program. Of course, a lot remains to be done to ensure the military is capable of participating in real NATO operations. The doctrinal document must be developed or updated, tasks need to be more clearly defined, and, of course, all military personnel from top to bottom need new training to be

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<sup>45</sup> "NATO Opens Military Liaison Office in Belgrade."

<sup>46</sup> Andric, 3.

<sup>47</sup> "NATO Opens Military Liaison Office in Belgrade."

compatible with NATO standards and consistent with PfP countries. Some day, somewhere in the world, it will be no surprise to see a Serbian military contingent participating in peacekeeping missions under the flag of NATO.

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## IV. STATE SECURITY SERVICES REFORM

This chapter examines the reform of the Serbian state security services. These agencies have been seen as a “mini-state inside the state.”<sup>48</sup> They are still so powerful that they can exert enormous influence on huge range of political and social issues in Serbia. The new Serbian government cannot make appropriate decisions on state security and craft a new policy without updated and accurate information gathered by the intelligence services. The information must be processed and distributed among the government institutions according to a very strict rule for preserving secrecy. At the same time, the process needs to be transparent in the sense that the government institutions need a control mechanism to insure that the information will not be used for illegal purposes and it is gathered in accordance with the rule of law.

From an organizational point of view, the security services in Serbia—Military Intelligence (MI), including Military Counterintelligence (KOS) and the Serbian State Security Service (BIA)—are typical services, much like the U.S. Defense Intelligence Agency (DIA) or Central Intelligence Agency (CIA), for example. They are designed as full source agencies, able to gather information by utilizing different means for collecting and processing the information.<sup>49</sup> A “full source agency” means that the organization has resources for human intelligence, signal or high-tech intelligence, imagery processing capabilities, and well-developed analysis capabilities.

However, the main difference between KOS and BIA, on the one hand, and DIA and CIA, on the other, is the control exercised over the U.S. intelligence community. To clarify, during the Milosevic era, the KOS and BIA penetrated throughout the society. At some point, these agencies were seen as competitors inside the regime. The KOS was focused on counterintelligence inside the army, while the BIA (at the time referred to as the SDB), tried to control everything in society, including other security agencies like the police and military. The SDB collected data for top military commanders which could be used by Milosevic or by the service at a later date.

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<sup>48</sup> See Batcevic.

<sup>49</sup> KOS stands for the Serbian Military Counter Intelligence Service. Until 2002, the KOS was a part of military intelligence.

There are a number of alternate centers of power inside Serbia that are at least as powerful as the legitimate institutions of government. After maintaining a low profile in the first two years since Milosevic's fall, they have begun to play an increasingly visible role in politics and society. They are largely focused around the State Security (DB) structures Milosevic created to help wage his wars and keep domestic order, as well as around counterparts associated with the Yugoslav Army (VJ) Counterintelligence Service (KOS). They include illegal financing mechanisms and parallel military formations under the command of the police and DB, as well as military, domestic and foreign intelligence networks. Djindjic's assassins almost certainly came from and were supported by some part of these alternate centers of power.<sup>50</sup>

The SDB in particular had full autonomy from the government. It penetrated society from bottom to top, spying on ordinary people and those at the highest level and wiretapping political leaders, including Milosevic family. This was the organization which sponsored the Milosevic regime and his private "paramilitary" security forces which conducted the dirtiest operations during the war, especially in Bosnia and Herzegovina and Kosovo.

In order to finance his wars and to create the security structures necessary to carry out the more distasteful tasks of ethnic cleansing and murder, Milosevic developed mechanisms to divert revenues from the state and from the state-controlled export and import sector. The DB plundered the assets of a number of former Yugoslav firms. For example nearly U.S. \$30 million from the state-owned trading company GENEX, and set up seemingly privately-owned front companies.<sup>51</sup>

With support from SDB, organized crime clans established smuggling routes in the Balkans to import goods, petrol and money for weapons and ammunition during the embargo operations against Serbia between 1996 and 2000. In fact, many active officers from SDB were actually in charge of the organized crime and smuggling activities during the embargo period. As a cover they were officially registered as owners of private companies.

These, and individuals listed as their owners, enjoyed special monopoly privileges over exports of raw materials such as wheat and iron ore and weapons, as well as special import privileges. Some had the right to

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<sup>50</sup> *Serbia After Djindjic* (Belgrade/Brussels : International Crisis Group, Balkans Report no. 141, 18 March 2003), 2.

<sup>51</sup> *Serbia After Djindjic*, 3.

smuggle high-tariff items, such as alcohol, tobacco, petroleum products, and coffee. Trafficking to and manufacture of drugs for Western Europe and other Balkan countries, auto theft, trafficking in women and illegal immigrants, and illegal export of weapons were other revenue sources.<sup>52</sup>

As this makes clear, by the end of Milosevic regime and for at least two years afterwards, the SDB and the Military Intelligence Service were *de facto* in full control of the state and the political elite.

An indicator of these agencies' power is the issue of cooperation with the Hague tribunal. More than ten years after the war, Bosnian Serb leaders Radovan Karadzic and his “notorious” general Ratko Mladic are still at large. The failure to arrest Mladic caused a break in the Stabilization and Association agreement between the European Union and Serbia. These two men are still in hiding, with support from nationalist elements—many of whom are former or active members of the BIA and KOS.

However, the Zemun Clan, which is accused of organizing the deed, is believed to have received support and information and otherwise cooperated with individuals within the police, government and army, as well as several key politicians, both during Milosevic's regime and after, and to be providing bodyguards at present for Ratko Mladic, one of the most notorious Hague indictees still at large. As an arm of Milosevic's parastatal structures, carrying out numerous deniable actions against political enemies, it is said to have been deeply entrenched within the State Security (former DB, now BIA). This suspicion was given apparent confirmation when acting Premier Nebojsa Covic stated shortly after Djindjic was killed, that the police had raided the State Security offices as part of their investigations, and that the Zemun Clan had assisted the state in counter-insurgency efforts in southern Serbia. Simatovic's Red Berets are notorious for their brutality during the wars of the 1990s in Croatia, Bosnia and Kosovo, and are widely believed to be enmeshed. The nexus of nationalist elements in Serbia's police, army, political elite, state security and organized criminal gangs is the single greatest threat to regional Balkan security. So long as it remains an important factor in Serbian politics, the international community's approach to the entire region will have to prioritize containment of these nationalist forces above the promise of European integration. To understand why Djindjic was killed, it is necessary to understand the illegal parallel state Milosevic created that often exercised more power than the legitimately elected authorities and that DOS has not dismantled.<sup>53</sup>

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<sup>52</sup> *Serbia After Djindjic*, 3.

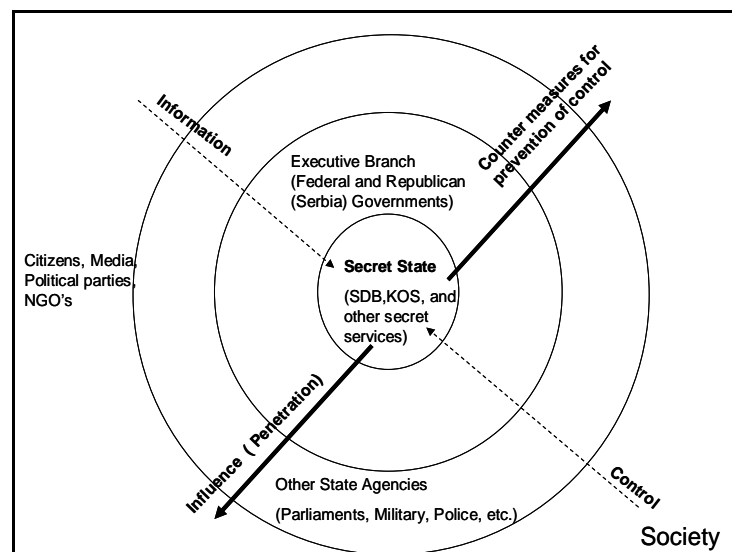
<sup>53</sup> *Serbia After Djindjic*, 2

Peter Gill describes the conditions faced by the new democratic government, including the Milosevic-era state security service heritage, as an “independent security state.”<sup>54</sup>

Here the security intelligence agency is formally embedded within the state yet is actually autonomous of the government and the rest of the state machine while penetrating deeply in the social life in its search for information and, probably its countering activities.<sup>55</sup>

The concept of an “independent security state” in Serbia is illustrated in Figure 2.

Figure 2. Independent Security State: The Case of Serbia <sup>56</sup>



This figure shows exactly the status of the Serbian Security Services during the Milosevic era. Society was penetrated by the SDB, KOS and other agencies that become linked the political regime and organized crime clans to profit from illegal activities. The economic power of the SDB was strengthened by the fact that some of the former state companies now belonged to the service. After Djindjic's assassination, the politicians were shocked and very passive about making reforms in the sector. War criminals like

<sup>54</sup> Peter Gill, *Policing Politics: Security Intelligence and the Liberal Democratic State* (Portland, Oregon: Frank Cass, 1994), 82.

<sup>55</sup> Gill, 82.

<sup>56</sup> Modeled after Gill, "The Gore-Tex State," 80

Mladic, thanks to the support of the SDB and the military, are still at large.<sup>57</sup> Secrecy, as in 2000, still plays big role in Serbian political life today. Even today, the politicians are afraid of the shadow of the security agencies' past power. However, as time passes, and with the change to a democratic state open to Euro-Atlantic security structures and the EU, the security services of Serbia must be reformed in accordance with the standards of NATO PfP program objectives and the new Serbian government.

What did the Serbian government do to regain control over the security agencies and to reshape them in light of the new security environment of the country?

The first step was to pass a law that clearly defines the missions, tasks and organizations of the security agencies in the Union of Serbia and Montenegro. The law also specifies the relationship among the traditional branches of government (legislative, judicial and executive) in regard to management and control of the secret services. The adopted by the federal parliament in 2002, also gives mechanisms for internal and external control, as well as evaluation of the work of the secret services. In 2003, after the Union was established, the federal parliament updated the existing law to make it consistent with the points mentioned above.

The next step was to implement all requirements prescribed in the Law for Security Services of the Federal Republic of Yugoslavia.

At this point, we should address the frequent view that security services are in practice impossible to control, since the legitimate secrecy of their operations and their use of special devices and techniques enable them to "play with" those intent to learn their secrets. Consistently advocated this view necessarily leads to one of the two possible conclusions: either (one) the intelligence-security services should be abolished in order to protect democracy or (two) the society consciously agrees to a state of concealed dictatorship of its own "guards"! Modern security environments and the reality of international relations give scant weight to the idea of abolishing

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<sup>57</sup> During the war in Bosnia, under Mladic's leadership in Srebrenica, more than 2,500 Bosnian citizens of different origins and religion were killed. Several mass graves were found. The work of identifying the victims continues. For eight years, Mladic has hidden from justice. From 2000 to 2002, NATO troops from SFOR made several attempts to capture him in Bosnia and Herzegovina, but they were unsuccessful. Between 2002 and 2005, it was believed that Mladic was living in Belgrade under the protection of the military intelligence service in the military complex near downtown. The political leadership of the country knew his location but refused to transfer him to the Hague. In 2005 and 2006, because Serbia needed support from the international community, the Kostunica government even set up a plan to capture him. Some ministers tried to negotiate Mladic's voluntary surrender, but this was again prevented by former SDB officers. For details, see Edmunds, 2-3, and *Serbia After Djindjic*, 12-15.



the services (the trend is in fact reversed). On the other hand, man naturally aspires towards freedom, which dispenses with the second option.<sup>58</sup>

In Serbia and Montenegro the secret services were not disbanded, but rather reorganized. In 2003, the federal government decided to split the military intelligence service into two parts, thus separating the intelligence and counterintelligence functions. Both new services were directly subordinate to the Minister of Defense, not to the General Staff. Today, after the split of the State Union, the Military Security Services are under the direct supervision of the Minister of Defense. The Military Intelligence directorate was formed under the supervision of one of the deputies of the Minister of Defense. Many officers who served under Milosevic regime were retired or dismissed. This process continued until 2006, when the last military intelligence general from Milosevic era was dismissed from his position as Chief of Military Intelligence of Ministry of Defense Directorate. As Simon Araloff from the European section of Association of Intelligence Analysts (AIA) notes,

Current “cleansing” in the Ministry of Defence and in particular in Military Intelligence Department of Serbia and Montenegro, is aimed at replacing the officials, who have been working here since Slobodan Milosevic’s rule, by the adherents of integration in NATO and EU. <sup>59</sup>

From 2003 until 2006, the Military Intelligence Service has gone through severe organizational changes. The reorganization of the service was driven by the new law, national defense strategy, and the available resources. New set of tasks were put in place and new control mechanisms were introduced. Thanks to the current president of Serbia, Boris Tadic, the reform of the military intelligence service is deemed successful, because he managed to overcome the negative heritage and internal attitudes toward this isolated institution. Today all military intelligence work is controlled by the Defense Minister and internal inspectorate. As Ljubodrag Stojadinovic wrote in 2003,

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<sup>58</sup> Jankovic, 1.

<sup>59</sup> Simon Araloff, "Intelligence of Serbia and Montenegro Has Got a New Chief," AIA European Section (2006), 1. Available from [www.axisglobe.com/article.asp?article=635](http://www.axisglobe.com/article.asp?article=635); accessed 5 January 2007. According to the author, former General Aleksandar Dimitrijevic had been Chief of Military Counterintelligence service (KOS) from 1993-1999.

The new Defence Minister Boris Tadić has announced the reform of the Service. Although the announcements often do not have a great importance, this one is a good sign and we can believe that the Minister really meant it since these conditions cannot be maintained. The Service is announced to be "excluded" from the General Staff and transferred to the federal Defence Ministry. Correctly, we could not even speak about the reform of the army if the Service were not reformed. We believe it is more convenient to use the word "dismantling" of the military Security Service, for the simple reason: the existing service cannot be used for making a new one. For the time being, it would be better to have no security service at all than to have the one like this. A new military security service, whatever name it formally gets, must be controlled from the very beginning. Its characteristic is not to be controlled but to control. Therefore, it is necessary to make the service's operations legally regulated, for there has been no law up to now. The Service used to work according to the instructions it proscribed itself.<sup>60</sup>

With new tasks and organization, the Military Intelligence Service has the potential to serve its true purposes.

As far as the reform process is concerned, in counterintelligence things were not so smooth for the KOS as a security service inside the military and military intelligence. The reform process for counterintelligence took longer than reorganizing military intelligence. The KOS had a very negative image inside Serbia because it had organized "complicated networks of intelligence officers and liquidators, whose assignment was to uncover and eliminate prominent members of émigré groups and organizations."<sup>61</sup> The first political goal of the newly elected government after October 5, 2000 was to avoid a struggle with this security service. The reason for that decision is explained by Stojadinovic.

The Service was the framework of the most extreme part of "the Anti-Hague lobby". This is where the connection between the conservative part of then Yugoslav President's surrounding and quasi-patriotic forces became logical. In fact, it was an attempt to defend the war crime or any other crime by the identification between patriotism and robbery and mass murder, during the war and after it. It was not possible to avoid the participation of the Service in the attempted revolution and restoration. It

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<sup>60</sup> Ljubodrag Stojadinovic, *The Reform of The Military Security Service* (Belgrade: Centre for Civil-Military Relations, 2003), 2. Available from <http://www.ccmr-bg.org/cms/view.php?id=1911>; accessed 6 January 2007.

<sup>61</sup> *Counterintelligence Service Kontraobavaszajna Sluzba (KOS)*, Global Security Network (2005), 1. Available from <http://www.globalsecurity.org/military/world/Serbia/KOS.htm>; accessed 8 January 2007.

is interesting that its documents, even the headquarter operative acts and the suppositions for the exercises, show a strong inertia from Milošević's time – referring to the values and conception. The enemies have remained the same so the General Staff, in its experiments, still "expects" NATO to attack Serbia and Montenegro. The Service has strongly supported the past because its most influential members felt that their power gets proportionally weaker as the society becomes more democratic. Therefore they certainly wanted the return of isolation, fear, informing, controlling people and their destinies. Hence, this would be the ambiance where the Service would be again in the centre of all occurrences and, above all, it would be able to produce the worst of the occurrences.<sup>62</sup>

The ultimate goal of the new federal government was to stay in power as long as possible in order to break the international isolation of the country by diminishing all negative consequences from Milosevic's heritage and initiating the democratization of the country. Moreover, having in mind that the most dangerous and influential state institution was the civilian State Security Service (SDB), the new federal government made a wise choice to have KOS on their side to counterbalance SDB power.

Milosevic's decision to relay on police, not army, was based on the hesitation of considerable number of officers in face of “Serbization” of the People Yugoslav Army [NA] which was to be turned into an instrument of Greater Serbian policy. Milosevic decided that it was necessary to clean up the KOS and the Army of Yugoslavia Intelligence service, which would become the brain of an officers' plot. The decision was taken to remove the key cadre and to relay primarily on the police and SDB of Serbia, even for purely military issues. Thus the key actions in Bosnia were not performed by regular army but by paramilitary units fielded by Internal Affairs Ministry. At the same time that campaign against army security bodies was taking place, KOS used foreign agencies and internet to make counterattacks. Discoveries were made which connected the SDB of Serbia to wiretapping of talks between Milosevic and Karadzic.<sup>63</sup>

The successor of KOS is a newly designed service with new tasks and organization. What has happened to SDB? As Jankovic points out,

The Security Information Agency of Serbia (BIA) is undergoing a more "silent" reform than most other institutions. Except for statements that the Agency has in recent years experienced its largest personnel renewal ever, announcements of the impending adoption of the law governing the

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<sup>62</sup> Stojadinovic, 2

<sup>63</sup> *General Staff Security Directorate*, Global Security Network, (2005), 1. Available from <http://www.globalsecurity.org/military/world/Serbia/gssd.htm>; accessed 8 January 2007.

opening of secret files and a number of fortuitous details one could pick up at receptions arranged for the press and representatives of the domestic and foreign security sector institutions, the public does not exactly know very much of what transpires in the Serbian secret service. The Agency is no doubt torn between a difficult political legacy inherited from its predecessor (State Security Department of the Interior Ministry of Serbia) and major requirements of the present day which combine the general transition difficulties with the Serbian security specifics, i.e. the imperative of the "full cooperation with the Hague Tribunal" (read: apprehension of the Hague indictees Karadzic and Mladic) and the problem of Kosovo. The Agency leadership is, apparently, aware of the fact that the democratic civil control is a principle which must not be questioned. However, it is less certain to what extent the Agency's members are aware of what the democratic civil control of intelligence security services actually means in practice, or of its values and possible benefits. In a situation where the Agency does not get a clear signal about that from its "controllers", it is difficult to expect that its own ranks may come up with the proper solution in drawing the line that separates the state and party politics, national and state security, efficiency and abuse of authority, obedience to orders and respect of law. It is even unlikely to expect that they will try to find it at all, engrossed as they are in the multitude of other issues. Furthermore, it is very uncertain whether the Agency staff, if they tried to counter a possible abuse of authority, would find reliance in democratic controlling institutions. Still, we have to note that the Agency is showing a correct attitude towards the (modest) requirements made on it by the parliamentary control. In addition, while the executive authority still looks for the best coordination mechanism for security intelligence activities as well as mechanisms to establish priorities and operating guidelines (recent establishment of the National Security Council will be remembered by the accompanying political-party bickering), the Agency remains out of this turmoil, leaving the impression and hope that it is not an active participant of political processes.<sup>64</sup>

Both the facts and the general perception of the reforms are captured in Jankovic's quote. Of course, considering the living conditions under Milosevic, it is understandable why in 2002 one of the first acts of Djindjic's government was to adopt a specialized law dealing with the tasks, organization and control of the BIA. Once a relatively modern law was in place, it was obvious that continued reform was just a matter of time. In practice, during the reform process, the agency has suffered from two major problems: decreasing social trust and support, and difficulties recruiting enough educated and capable BIA employees for comprehensive reforms.

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<sup>64</sup> Jankovic, 4.

Even today the agency's image is overshadowed by the negative institutional heritage, such as protection of war criminals, involvement by former officers in organized crime, illegal acts against the political elite and citizens, etc. In the transitional period to democracy, the Agency began to play a significant role in gathering information against organized crime and international terrorism. The improved relations with other state institutions were noticeable and aimed at bettering the agency's image. As the agency's current director Rade Bulatovic, speaking about the new security situation, told the media,

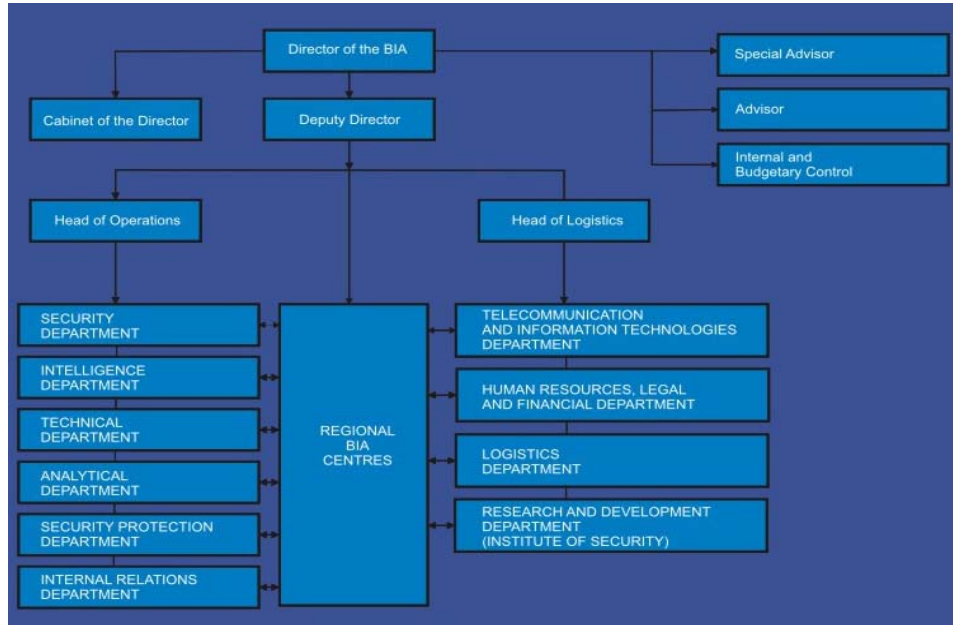
Of course; I would like [reform] to move faster, but unfortunately, Serbia does not have time. Our country is facing great challenges, to which the Agency must contribute appropriately. I have in mind, primarily, the founding of the Serbian State, which is in progress. The National Security Agency, such as BIA is, plays a very precise role in this issue, first of all, in the domain of information as well as in combating terrorism and organized crime.<sup>65</sup>

Speaking of the new environment, the current organization of the agency is similar to the structure of most western intelligence services. The new structure reflects the new tasks and environment for BIA work. The current structure, presented on Figure 3, was adopted in November 2006.

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<sup>65</sup> Rade Bulatovic, interview given by the Security-Information Agency Director with *Tanug*, (Belgrade, 2006), 1. Available from <http://www.bia.sr.gov.yu/Saopstenja/2006intervjuTanug-eng.htm> ; accessed 7 January 2007.

Figure 3. Organizational Chart of BIA<sup>66</sup>



As shown in Figure 3, the current design of BIA reflects the new internal control mechanism put in place with the new legal regulation, the new tasks of service and the agency's important role in the fight against terrorism and organized crime.

According to the law, the internal and budgetary department is responsible for internal oversight of the service operations in regard to compliance with the principle of the rule of law. Article 16 of the law deals with the overall government institutional control and the mechanisms by which this control is exercised.<sup>67</sup>

In the area of personnel recruitment, BIA has suffered a lot in the recent years. Of course many people do not want to be associated with the service due to its bad image, but in 2005 a new recruitment procedure was put in place. Now the old generation officers are out. The service welcomes the best students from universities and other state institutions. Director Bulatovic mentioned this problem in his interview with *Tanug*.

Since for a long time the Service was a closed-entry institution, not all citizens of Serbia could get a job in the BIA (RDB) under equal conditions. Virtually, this became possible two years ago. [sic] Every

<sup>66</sup> Figure is taken from the official website of the agency, available from <http://www.bia.sr.gov.yu/organizaciona-shema-eng.htm>; accessed 20 January 2007.

<sup>67</sup> *The Law on the Security Information Agency* (Belgrade: 2007), 2. Available from <http://www.bia.sr.gov.yu/zakonski-okviri-eng.htm>; accessed 20 January 2007.

citizen of Serbia may get an engagement at the BIA, certainly, in case that, one possesses appropriate qualifications; the Agency now welcomes the best students from excellent State institutions and universities. [sic] We are also more than content with staff we have obtained. Conditions for the formation of the efficient service in democratic European Serbia are being provided.<sup>68</sup>

It is also important to notice that the open and transparent work of intelligence is a two-way street. The society must give the service a chance to do its job and the intelligence agencies should in return produce more work more efficiently. One way to achieve that is mentioned by Jankovic.

[T]he Agency's education system seems overly closed and isolated. That could be overcome by a more systematic and increased participation of Agency's members in seminars, courses, workshops and other educational activities organized by academic institutions and the NGOs, especially on topics such as human rights protection, eradication of corruption, promotion of the democratic nature of civil-military relations, etc. The expertise and participation of the civil sector in the making of laws, strategies and other regulations in the security sphere are necessary if one wishes to produce the best legal text and the most widely accepted results. Independent analyses of general and specific security challenges should be invaluable for the national security service and they are not obtainable by operative work or engagement of "collaborators," but rather by cooperation.<sup>69</sup>

To summarize this chapter, the trends in security service reform can be evaluated as appropriate for integrating Serbia into the NATO PfP program. The achievements of government institutions are remarkable. However, a lot more still needs to be done, as the big challenge for the security and intelligence services remains. The challenge is to become credible in the eyes of professionals and society and regain their confidence. Being part of the Euro-Atlantic Community requires much more flexibility and willingness to cooperate with similar services in the region, as well as with former foes like the CIA and the western intelligence community.

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<sup>68</sup> Bulatovic, 4.

<sup>69</sup> Jankovic, 4.

## **V. PUBLIC ATTITUDES**

Discussions of reforms in the security sector, particularly in the army and security services, are meaningless without mention of public opinion. From a management viewpoint, it is very important for a government to have a clear idea of social attitudes toward reforms in the most expensive and powerful government institutions, like the army and the security services, because the costs are borne by the taxpayers.

In that sense, Serbia is not a special case. As in other countries, the security sector competes with other sectors for state budget funds. On the other hand, the Serbian economy has suffered a lot recently. Uncontrollable inflation, economic isolation, and the gap between the demand for goods and consumption are just a few examples of the difficulties Serbia faces today. For example, the funds available for the army were approximately eight percent of the 2004 state budget (about 70 million euros), a large percentage in comparison with sectors like health care, education and social services.<sup>70</sup> Society needs to know how this money is spent. That is why public opinion is a very important criteria for the success of government policy in the security sector.

The discussion in this chapter is based on results from the survey of public opinion conducted by the Center of Civil-Military Relations for the period 2003-2005. The survey, conducted with UK support, includes questions about the situation with the army, the status of military reform, and attitudes towards NATO PfP program membership. The survey was conducted quarterly between May 2003 and June 2005.<sup>71</sup>

### **A. PUBLIC ATTITUDES TOWARD REFORMS IN THE ARMY AND THE SECURITY SERVICES**

#### **1. The Situation of the Army**

Between 1945 and 1992, the Yugoslavian People's Army (JNA), like every post-communist conscript army, had a very high rating, as the army was seen as a symbol of

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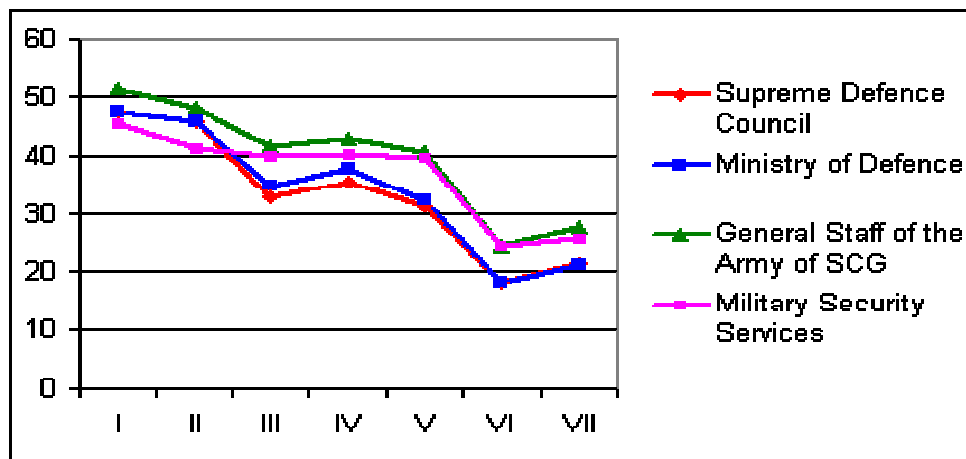
<sup>70</sup> Radisa Dordevic, Defense Budget Advisor in the Ministry of Finance and Economy of the Republic of Serbia, (Belgrade: Center for Civil Military Relations, 2004), 4. Available from <http://www.ccmr-bg.org/cms/view.php?id=1865>; accessed 6 January 2007.

<sup>71</sup> Miroslav Hadzic, *The Serbian and Montenegrin Public on Military Reforms. Main finding of the Seventh Round of Research* (Belgrade: Center for Civil Military Relations, 2005), 1. Available from <http://www.ccmr-bg.org/javnost/public071.htm>; accessed 20 January 2007.



state power. With the dissolution of the Federal Republic of Yugoslavia in 1992, the army's rating dropped due to the wars between 1992 and 1999. The lowest level of public support for the army was expressed after the NATO air campaign in 1999 and the military “defeat” in Kosovo. Since then, the army lost a lot of credibility and at some point after 2000 its survival was questionable. Between 2000 and 2003, the army suffered because social negligence. Lack of funding, poor social conditions, obsolete military equipment, and low morale were frequent problems. But in 2003, when the State Union was formed, people started to pay more attention to its army. Consequently, ratings increased because the army was seen as a state institution again. Trust and confidence in the army was expressed by more than 60 percent of the respondents in the survey, while the government had only 18 percent approval in 2003.<sup>72</sup> At the same time, people expressed their mistrust and lack of confidence in the Commanders of the army, and the Military Security Services Chief had the lowest rating at that time, less than 25 percent, as illustrated in Figure 4.

Figure 4. Confidence in the Commanders (Serbia)<sup>73</sup>



Approximately 66 percent of the people thought that the living conditions of the soldiers and officers are unsatisfactory, surprising results considering that the “state” of

<sup>72</sup> Miroslav Hadzic and Zorana Atanasovic, *Citizens' Views on Situation in the Army* (Belgrade: Center for Civil Military Relations, 2005), 1. Available from <http://www.ccmr-bg.org/javnost/public073.htm>; accessed 20 January 2007. See Figure 4.

<sup>73</sup> The figure comes from Hadzic and Atanasovic, 5.

Serbia and Montenegro itself was not even sure of its own existence.<sup>74</sup> It is obvious that people were expressing their mistrust in all government institutions because the future of the state was unclear. The situation in the army reflected the situation in the state. Now, when the state of Serbia is more clearly defined, it can be expected that a new round of the same survey would show that the army and government have higher ratings.

## **2. Citizens' Expectations for Military Reform**

Participants in the survey strongly supported the need for reforms. On average, 35.5 percent support urgent reforms, but the tendency from 2003 to 2005 was for an increase in support for reforms. As Milorad Timotic commented,

This can possibly indicate that amongst the Serbian public the idea is very slowly, but surely maturing on the need for respecting human rights in principle, and in the army as well....It would now be necessary for the Defence Ministry and General Staff to undertake concrete measures that would result in better protection of human rights in the Army.<sup>75</sup>

During the initial phase of the transition period from autocratic rule towards democracy (2000-2003), the federal government was obliged to respond to the popular will by making efforts to reform the army in utilizing standards such as protection of human rights. However, most people did not have adequate trust in government institutions as a result of their uncertain performance. Thus at the end of 2003, people believed that the reforms in the army were not so urgent. According to Timotic's research, only 23 percent of the responders were "pro" reforms, while in the seventh round the supporters of the reforms were about 43 percent.<sup>76</sup> That fact demonstrates that people started to demand more reform as government institutions were strengthened.

The same survey found the first two priorities for reform were "democratic civilian control over the army and establishing control and restricting military secret

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<sup>74</sup> Hadzic and Atonasovic, 5.

<sup>75</sup> Milorad Timotic, *Citizen's Expectation of Military Reform* (Belgrade: Center For Civil Military Relations, 2005), 1. Available from <http://www.ccmr-bg.org/javnost/public074.htm>; accessed 20 January 2007.

<sup>76</sup> Timotic, 1.

services.”<sup>77</sup> These were exactly the priorities in government policy and activities between 2003 and 2005, as described in Chapters II and III.

In summary, the results from the survey concerning military reform and public confidence in institutions show that the public did not much trust government institutions between 2003 and 2005. In a relatively steady trend, army reforms were rated the second highest priority among the public sectors. People probably were more concerned about their standards of living and were more interested in the development of the social sectors than the security sector. The same tendency was observed in Bulgaria and Romania, for example, during the initial phase of their transition to democracy in the early 1990’s. But in those countries, society gradually expressed more interest and support for security sector reforms. After Montenegro independence in 2006, Serbia again had to reorganize state institutions and reshape government mechanisms. This time people were much more supportive of government policy, because they were witnessing the continuation of military and security services reform despite nation-wide economic difficulties. In 2006, the NATO invitation to join the PfP probably also increased public support.

## **B. PUBLIC ATTITUDES TOWARD THE PFP PROGRAM**

While the government and its institutions receive low ratings in the survey, PfP membership is consistently strong support. Surveys show that from May 2003 up to the end of the survey in December 2005, between 60 and 70 percent of participants approved of Serbia's membership in the PfP program.<sup>78</sup> This high level of support is explained by the fact that Serbian society witnessed the progress of neighboring countries, like Bulgaria and Romania, which were PfP members, then joined NATO and later the European Union. This serves as a good example for the Serbian people, who generally supported in the government policy of joining PfP and the EU. Timotic also supports this interpretation.

In the seventh round [December 2005], this trend of increase in the percent of those that supported joining the PfP was renewed. Differences in the last two rounds weren’t very large, and the overall trend and data are convincing enough and enable a reliable conclusion that about three-

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<sup>77</sup> Timotic, 1.

<sup>78</sup> Timotic, 2.

fourths of the sample, representing the Serbian public, from round to round, steadily supports joining the Partnership for Peace. This fact is of exceptional political significance and should be one of the coordinates for political parties in defining their position on the Partnership for Peace.<sup>79</sup>

Joining the PfP program was seen by the Serbian public as an option to bring peace and stability to the country after the decade of wars, insecurity, fear and economic troubles. Essentially, people thought that PfP might at least calm and level government policy with modern democratic values. In a war-torn society like Serbia after 2000, it is natural that people want peace. That is why, according to Timotic, “a little over 50 percent from round to round express confidence that PfP would guarantee long lasting peace within the country and with its neighbouring countries.”<sup>80</sup>

The survey results show two things. First, Serbian society was ready to accept that the country could rely on foreign help and support for its own security as a member of programs like PfP. In the context of globalization, this is a common security trend. Second, the PfP initiative has very high ratings and is a trusted mechanism for dealing with security problems today. But arguably, the Serbian people are not big fans of direct foreign involvement in their national security. As Timotic comments,

[A] little more than 50 percent of the respondents in Serbia and Montenegro think that it is not necessary for foreign experts to participate in reform of our army. This point of view is preconditioned by the traditional view that our army and defence system must only be in the competence of our professionals. Participation of foreigners could also violate the classically comprehended secrecy of military affairs and defence. However, contemporary integration processes in the field of security require more openness and cooperation than in the past. Therefore, the public will have to get used to the presence of foreign officers and experts in our army, as well as the presence of our military representatives in the NATO Headquarters in Brussels.<sup>81</sup>

The most interesting fact in the survey is that people who supported PfP membership have varying political orientations. Data presented by Atanasovic in

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<sup>79</sup> Timotic, 3.

<sup>80</sup> Timotic, 3.

<sup>81</sup> Timotic, 5.

“Political Orientation and Citizens’ Views on Military Reforms” includes data from members of different parties over the whole political spectrum, ranging from the ultra nationalistic Serbian Radical Party, to President Tadic's Democratic Party. Of course each expressed different opinions, but all agreed that the government reforms were necessary given the country's new status in the PfP. Atanasovic says,

We asked the respondents what, in their opinion, the priorities of military reform are. Modernization of arms and equipment is a highly ranked priority for PSS supporters (76.2 percent), SPS (73.5 percent), and SRS (68.3 percent). Improving the economic position of the army is very important for SPS (62 percent) and SRS (60 percent) supporters, while it attracts the attention of DS supporters to a lesser extent (28.6 percent). Professionalization of the Army has taken one of the first three places on the list of priorities of reform amongst supporters of all political parties. This option is supported by two-thirds of the DS supporters, about half of the DSS supporters and close to two thirds of the SRS and SPS supporters. Establishing democratic civilian control over the army and restricting the power of secret services as a priority does not draw a large percent of respondents, but it is more significant amongst DS supporters (26.9 percent). A smaller percent of SRS supporters (7.8 percent) and SPS supporters (4.9) recognize the need to establish democratic civilian control over the Army and restrict the power of secret services as a priority in reforming the Army.<sup>82</sup>

In summary, data presented in this chapter show that in general, the public attitude toward military and security services reforms is positive, and public opinion is more than supportive for Serbian participation in the PfP program.

No matter the political and economic differences in Serbian society, overall public opinion is united in regard to the future of Serbia. The survey shows that without a doubt, people want a modern democratic Serbia accepted in the international arena. This is why Serb society will support any reasonable government policy to insure the country's Euro-Atlantic future.

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<sup>82</sup> Zorana Atanasovic, *Political Orientation and Citizen's Views on Military Reforms* (Belgrade: Center for Civil-Military Relations, 2005), 1. Available from <http://www.ccmr-bg.org/javnost/public075.htm> ; accessed 20 January 2007.

## **VI. CONCLUSIONS AND RECOMMENDATIONS**

Today the army and the state security services are undergoing serious reforms. The ultimate goal of this process, as described in Chapters III and IV, is to bringing these state institutions closer to NATO PfP objectives and standards. To this end, several government institutions have tried for more than five years to define and implement an appropriate state security policy to achieve the goal of PfP membership. Finally the government succeeded.

Progress so far is remarkable and deserves to be acknowledged. However, more work lies ahead, to enhance the achievement and fully integrate the country into NATO's PfP program. This chapter summarizes the findings of the thesis and evaluates the state security policy of Serbia.

The findings about the status of state security policy are presented in Table 1.

Table 1. Status of the State Security Policy in Regard to Membership in PfP

Status of the Serbian Government State Security Policy Elements						
Legal framework		Army Reform		State Security Service Reforms		Public Attitudes
<i>Assessment</i>	<i>Areas for improvement</i>	<i>Assessment</i>	<i>Areas for improvement</i>	<i>Assessment</i>	<i>Areas for improvement</i>	<i>Assessment</i>
<b>Adequate</b>	Revising and updating current laws on democratic civilian control of the military and security services  Adopting new laws and documents in accordance with the requirements of the new Constitution of Serbia  Developing a legal basis for public participation in the control structure	<b>Appropriate</b>	Developing doctrinal documents  Defining tasks  Organizational optimization for integration into PfP force.  Training personnel with NATO standards  Developing capabilities for NATO-led Peace Support Operations  Allocation of adequate funds to continue reforms  Full transparency of the reform process	<b>Appropriate</b>	Developing doctrinal documents  Defining tasks  Training personnel to respect the rule of law  Increasing flexibility for information exchange with partners to support specific operations  Developing capabilities for NATO-led Support Operations  Allocation of adequate funds to continue reforms Full transparency of the reform process	<b>Positive</b>
<b>Overall assessment of state security policy:</b>			<b>Progressing</b>		To improve the national security environment, Serbian institutions have acted to craft appropriate laws, enabling adequate reforms in the military and security service in accordance with internationally recognized standards, like NATO PfP initiative, with positive public support.	

As Table 1 shows, future Serbian governments have a lot to do. The areas of cooperation under NATO's PfP program include many areas for improvement. The best possible solution for Serbia is to incorporate all of the areas into the Individual PfP program.

The adaptation of the current Serbian State Security Policy can be executed with support of NATO experts who have worked for years with Serbian officials. The NATO liaison office in Belgrade can provide the necessary expertise to craft the new phase of army reform and to update of existing laws in accordance with PfP documents and standards.

Under PfP, Serbian military and intelligence officers will have bilateral or multilateral access to other countries' educational and training institutions. The most important areas for education and training include civil-military relations, military professional development, defense planning and budgeting, and modern military operations such as peace keeping operations, crisis response operations and military operations in support of humanitarian assistance.

Counterterrorism operations and operations against organized crime, of major importance today, are areas where the Serbian military and security services can contribute a lot.

Public opinion so far favors of government actions and activities. As discussed in the previous chapter, people with different political orientations so far support government policy towards NATO and PfP. Since the people pay the bill, it will be necessary for the government to involve the public more frequently in disputes and decisions about military and security service reforms.

The society itself needs to develop more mechanisms for putting pressure on the controllers of the military and security service in order to ensure compliance with the democratic values espoused in the new constitution.

Last but not least, the society and government should to encourage “zero-tolerance” for those who committed war crimes and their supporters who abused their offices and violated institutional rules—in particular, former and current military and BIA officers.



These findings can be implemented as part of the Serbian individual partnership program with NATO, as was done by all other NATO PFP member countries. On that point, the author offers the following recommendations on state security policy.

- There is so far no alternative to the integration into PFP and later into the EU. No matter what its political orientation, the government must cooperate with society and opposition parties to continue the process.
- The legal progress made under the State Union should be maintained. Several draft laws which were developed but not adopted should be updated and brought before the new parliament as soon as possible.
- Military reforms are good example of the will to modernize an old organization with limited funds. This good practice can be generalized to other government institutions.
- As soon as the new government is in place, the working program or action plan for reforms in the security sector should be crafted and brought to a vote in the parliament.
- Discussion of the new national security strategy should be initiated and presented openly to parliament and society. Upon approval, documents concerning defense doctrine, security policy, etc. should be developed or updated.
- The media, nongovernmental organizations and foreign advisors have important roles in shaping state security policy. Thus the government should encourage a more transparent and critical attitude toward national security.
- Good relations in recent years between Serbia and NATO should be extended from the political level to the level of working experts.
- In order to overcome the negative heritage from Milosevic era, the government should be more active in cooperating with the International Criminal Tribunal for Former Yugoslavia.

- The government of Serbia should also work to create a positive image of the country as a trusted partner to other PfP countries by acting effectively to implement state security policy in compliance with the spirit and objectives of NATO's PfP program.

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